## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

GERALD CORNELIUS ELDRIDGE	§
	§
Petitioner,	§
	§
v.	§ CIVIL ACTION NO. H-05-1847
	§
RICK THALER, Director,	§
Texas Department of Criminal	§
Justice-Correctional Institutions Division,	§
	§
Respondent.	§

## **ORDER LIFTING STAY**

On November 17, 2009, this court stayed Gerald Cornelius Eldridge's execution, finding that he made a substantial threshold showing that he was incompetent to be executed. Since that date, the parties have filed briefs with extensive mental-health and other records. This court has conducted an evidentiary hearing into the question of Eldridge's competency. In the Memorandum and Order issued this date, this court finds and concludes that Eldridge is competent to be executed and denies Eldridge's Amended Petition for Writ of Habeas Corpus. Because Eldridge's competency to be executed has now been fully adjudicated, the stay of execution is lifted.

SIGNED on January 31, 2013, at Houston, Texas.

Lee H. Rosenthal United States District Judge